

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

PREFERRED CAROLINAS REALTY, INC.,	)	
	)	
Plaintiff,	)	
v.	)	
	)	Civil Action No. 1:13-cv-00181
	)	
AMERICAN HOME REALTY NETWORK, INC.,	)	
D/B/A NEIGHBORCITY.COM,	)	
	)	
Defendant.	)	
	)	

**STIPULATION AND NOTICE**  
**REGARDING AGREEMENT TO PAY CLAIMED EXPENSES**

Preferred Carolinas Realty, Inc. (“PCR”) and American Home Realty Network, Inc. (“AHRN”) file this Stipulation and Notice Regarding Agreement to Pay Claimed Expenses in response to the Memorandum Opinion and Order of the Magistrate Judge (“Order”) (Doc. 66) entered on March 28, 2014. In accordance with the Order, the Parties stipulate and agree as follows:

1. On April 3, 2014, pursuant to the Order, (Doc. 66 at 18-19), PCR served AHRN with a Statement of Expenses Incurred to Oppose Motion to Compel, which seeks reimbursement for \$9,869.75.
2. On April 14, 2014, AHRN filed and served its Objections to Memorandum Opinion and Order on Defendant’s Motion to Compel (“Objections”), (Doc. 67), pursuant to Rule 72(a) of the Rules of Civil Procedure. AHRN’s Objections included an objection to the cost-shifting award in favor of PCR,

(Order at 17-18; Objections at 17-19), and are currently pending before the District Judge.

3. Without waiving its timely-filed and served Objections, AHRN hereby gives notice that it does not contest the reasonableness of PCR's claimed expenses to date. AHRN agrees to pay \$9,869.75 to PCR in the event that the Order is affirmed with respect to the cost-shifting award.
4. AHRN shall defer payment of PCR's claimed expenses to date until such time as the District Judge issues a ruling on AHRN's Objections, such payment contingent upon the Order being affirmed with respect to the cost-shifting award.
5. By entering into this stipulation, PCR does not waive its ability to seek an additional award of fees and costs associated with PCR responding to AHRN's Objections.
6. By entering into this stipulation, AHRN does not waive its ability to oppose an additional award of fees and costs to PCR, or to challenge the reasonableness of any additional expenses or fees incurred by PCR.

Date: April 18, 2014

Respectfully submitted,

BARNES & THORNBURG LLP

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## **CERTIFICATE OF SERVICE**

I certify that on April 18, 2014, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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